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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
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16 SARIQUE, ELGIN AND DAISY, individuals,
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Plaintiffs,
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v.
19 BANK OF AMERICA, N.A. (A.K.A. BANK
20 OF AMERICA HOME LOANS), a
Corporation, NATIONAL BANK
21 ASSOCIATION, a Corporation; PRLAP
INC., a Corporation; and DOES 1 through 50,
22 inclusive,
23 Defendants.

Case No. 3:11-cv-03641-JCS

HON. JOSEPH C. SPERO

**JOINT STIPULATION RESCHEDULING
CASE MANAGEMENT CONFERENCE;
[PROPOSED] ORDER**

[L.R. 6-1(a)]

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STIPULATION

Defendants Bank of America, N.A. and PRLAP, Inc. (“Defendants”), and Plaintiffs Elgin Sarique and Daisy Sarique (“Plaintiffs”), by and through their counsel of record, hereby stipulate and agree as follows:

1. Defendants Bank of America, N.A. and PRLAP, Inc. removed this matter from Santa Clara County Superior Court on July 25, 2011.

2. The parties previously stipulated to two extensions for Defendants to respond to the Complaint 15 days to August 16, 2011 and then 60 days to October 17, 2011.

3. The parties then stipulated for Defendants to respond to the Complaint no later than January 18, 2012.

4. A Case Management Conference is scheduled for November 4, 2011.

5. The parties agree that a Case Management Conference on this date would be premature in light of current settlement discussions and the fact that Defendants have not yet responded to the Complaint.

6. The parties agree to continue the Case Management Conference to a date after January 18, 2012, the deadline for Defendants to respond to the Complaint.

7. The parties believe that the later case management conference will prevent unnecessary consumption of expense and time to both the parties and judicial resources.

8. The stipulation will not result in prejudice to any party and its impact on judicial proceedings is not expected to be significant.

9. Nothing in this stipulation shall constitute a waiver of any arguments or defenses that Defendants or Plaintiffs may wish to assert in their pleadings, all of which are expressly reserved.

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1 **IT IS SO STIPULATED.**

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3 Dated: October 28, 2011

LAW OFFICES OF KENNETH GRAHAM

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6 By: /s/ Kenneth R. Graham
 Kenneth R. Graham
7 Attorney for Plaintiffs
8 ELGIN SARIQUE and DAISY SARIQUE

9 Dated: October 28, 2011

10 **BRYAN CAVE LLP**
11 C. Scott Green
12 Tracy M. Talbot
13 Edward Chung
14 By: /s/ Edward Chung
 Edward Chung
15 Attorneys for Defendants
16 BANK OF AMERICA, N.A. and PRLAP, INC.

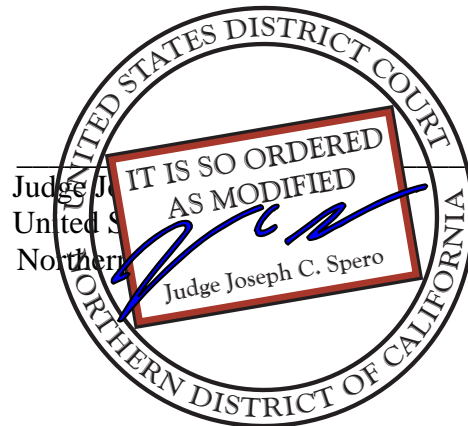
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[PROPOSED] ORDER

Having reviewed the stipulation of Plaintiffs ELGIN SARIQUE and DAISY SARIQUE and Defendants BANK OF AMERICA, N.A. and PRLAP, INC. and good cause appearing,

IT IS HEREBY ORDERED that the Case Management Conference is rescheduled to January 27, 2012 at 1:30 p.m. An updated joint cmc statement shall be due by Jan. 20, 2012.

Dated: 10/31/11



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